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Council

Tuesday Morning June 18th 1844

The roll being called the following named Gentlemen answered to their names to wit Messrs Cook, Cox, Elliot, Gehon, Leffler Springer, and Wallace,

A quorum being present the Council proceeded to Organize

On Motion Of Mr Springer

Francis Gehon was unanimously elected President of this Council

On Motion Of Mr Springer

Ordered, that the rules for the government Of the Council Of the last session, be adopted for the government of this Council —

On Motion Of Mr Springer

The Council proceeded to the Election of Secretary and Serjeant at Arms —

Messrs Cox and Cook acting as tellers

The votes having been taken and counted stood as follows

For Secretary
Charles Madison received 7 votes
For Serjeant at Arms
James Trimble received 7 votes

Charles Madera and James Trimble having received a majority of all the votes given, were declared duly elected Secretary and Sergeant at Arms

On motion Of Mr Springer

The persons elected as officers came forward and were severally sworn, and entered upon the discharge of their duties

On motion Of Mr Cox

Ordered, that a Committee of two be appointed, to wait upon the House of Representatives and inform them that the Council is now Organized and ready to proceed to business

Messrs Cox and Springer were appointed said Committee

On Motion Of Mr Cook

Ordered, that a Committee of two be appointed, to act in Conjunction with a similar Committee, to be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the two Houses are now organized, and ready to receive any Communications, he may wish to make them

Messrs Cook and Loffler were appointed said Committee.

Mr Cox from the Committee appointed to wait upon the House of Representatives reported, that they had performed the duty assigned them —

A, message from the House of Represen-tatives by Mr Hates their Chief Clerk
Mr President, I am directed to inform the Council that Messrs Robb and McCleary have been appointed a Committee on the part of the House to act in Con-junction with a similar Committee appointed on the part of the Council to wait upon his Excellency the Governor, and inform him that the two Houses are now Organized, and ready to receive any Communications, he may wish to make them —
And then he withdrew —

Mr Cook from the joint Committee ap-pointed to wait on his Excellency the Governor, reported, that they had performed that duty, And that the Governor informed them, that he would Communicate with the two Houses in Writing immediately —
The Governor's private Secretary was announced, who handed in the following Communication from the Governor —
which was read as follows

Fellow Citizens of the Council and
House of Representatives

Having assembled for the Specific purpose of Apportioning the Representation allowed us by the Act of Congress Organizing the Territorial Government, Among the Several Counties agreeably to the provisions of the act of your last session "to provide for taking the census and an extra session of the Legislative Assembly" I do not deem it necessary or proper to call your attention to any other subject

June 17th 1844. Very Respectfully
Your Obt Servt
John Chambers

On Motion Of Mr Springer
Resolved. that the following standing committees be appointed by the President for the present session, namely
On the Judiciary &
On Territorial Affairs, the latter Consisting of One member from Each electoral district

The President announced the following named gentlemen as the Standing Committees
On the Judiciary
Messrs. Springer, Leffler, and Teas

On Territorial Affairs
Messrs. Cox, Cook, Elbert, Wallace,
Christie, Leffler, Wm. Patterson, Teas, Springer,
and Harris —

Mr Cook On leave being granted introduced
the following resolution

Resolved, that the Secretary of the Territory
be requested to furnish the Council with
a Certified Copy of the Census (as far as
heard from) taken under the Act of the
last Session of the Legislative Assembly

Mr Elbert On leave being granted, ~~introduced~~
presented a petition from Sundry Citizens
Of Davis County praying an equal representation in the Convention according to their
population. Which petition

On Motion Of Mr Elbert
Was referred to the Committee On
Territorial Affairs —

Mr Wallace moved a call of the Council
which was had, the absent members appearing

On Motion Of Mr Wallace
The further call of the Council was
dispensed with —

The President announced the following
+ Communication from the Secretary of the Territory Containing abstract of Census of Territory

Census

Of the number of Inhabitants of the Territory Of Iowa Compiled from the returns of the County Commissioners of the several Counties of said Territory, as far as the same have been received at this Office of the Secretary of the Territory

Counties	Number of Inhabitants
Cedar	2217
Linn	2643
Muscatine	2882
Henry	6017
Clinton	1201
Scott	2750
Davis	2622
Johnson	2949
Jefferson	5694
Louisa	3238
Van Buren	9019
Jones	1112
Des Moines	9109
Washington	3120
	54.555

On Motion Of Mr Wallace

Ordered, that the abstract of the Census reported to the Council by the Secretary Of the Territory be referred to the Committee On Territorial Affairs with instructions to report by 4 OClock this afternoon

On Motion Of Mr Cox

The Council adjourned until 4 OClock this afternoon

Tuesday 4 Oclock P.M.

Mr Cox from the ~~Select~~ Committee on Territorial Affairs. ~~composed of one from each Electoral district~~ to whom was refered the abstract of the Census reported to the Council by the Secretary of the Territory

Reported that the committee had the same under Consideration and ask further time to complete their report in Consequence of the returns not having all been received—

Which was granted —

A Message from the House of Representatives by Mr Hales their Chief Clerk—

Mr President—

The House of Representatives have passed

No 173 H R file A Bill to legalize an act of the Board of County Commissioners of Des Moines County

No 174 H. R file A Joint Resolution allowing to the Counties of Davis, Wapello, Keokuk and Mahaska Copies of the revised Statutes—

No 176 H. R. file A Bill to legalize the acts of certain Officers therein named and for other purposes—

No 177 H R file A Bill to authorize the collectors of taxes to make deeds in certain cases

In which the Concurrence of the Council is requested —

And then he withdrew —

No 173 H R file A Bill to legalize an act of the Board of County Commissioners of Des Moines County

was read a first and second time

On Motion Of Mr Leffler

The thirteenth rule of the Council was suspended the bill read a third time, passed and title agreed to

No 174 H R file A Joint Resolution allowing to the Counties of Davis, Wapello, Keokuk, and Mahaska Copies of the revised statutes

was read a first and second time

On Motion Of Mr Elbert

The thirteenth rule of the Council was suspended, the Joint Resolution read a third time and passed —

No 176 H R file A Bill to legalize the acts of Certain officers therein named and for other purposes

was read a first and second time

No 177 H R file A Bill to authorize the
Collectors of taxes to make deeds in
certain Cases
was read a first and second time

On Motion Of Mr Cox
Said bill was refered to the
Committee on the Judiciary

On Motion of Mr Teas
No 176 H. R. file A Bill to legalize the
acts of certain officers therein named
and for other purposes
was taken from the table,
the thirteenth rule of the Council suspended, the bill read a third time, passed
and title agreed to

Mr Elbert on leave being granted introduced
No 1 C. F A Bill to amend an act entitled
an act to provide for the expression of
the opinion of the people of the Territory
Of Iowa upon the subject of the formation
of a state Constitution for the State of Iowa
which was read a first time

Mr Springer from the Committee on the Judiciary
to whom was refered
No 177 H R file A Bill to authorize the Collectors of taxes to make deeds in certain
Cases —

Reported the same back without amendments — and

On Motion Of Mr Springer

The thirteenth rule of the Council was suspended. the bill read a third time passed and title agreed to —

Mr Elbert moved to take from the table

No 1. C.F. A Bill to amend an act, entitled an act to provide for the expression of the Opinion of the people of the Territory of Iowa &c

Upon which motion the yeas and nays were demanded

And the question being put it was decided in the affirmative

Yeas — 5
Nays — 4

Those gentlemen who voted in the affirmative were

Messrs Christie, Elbert, Leffler, Springer, and Teas 5

Those gentlemen who voted in the negative were —

Messrs Cook, Cox, Gehon, & Wallace 4

On Motion Of Mr Elbert

Said bill was referred to the Committee on the Judiciary

Mr Springer on leave being granted introduced

No 2 C. F. A Bill to amend an act to perfect the Collection of taxes in Louisa County also

No 3 C. F. An Act Supplementary to the act Entitled An Act to provide for the Compensation of members and officers of both Houses of the present session and for other purposes Approved the 16th day of February 1844

which bills were severally read a first and second time

On Motion of Mr Springer

The thirteenth rule of the Council was suspended and the said bills severally read a third time passed and titles agreed to

Ordered that the secretary notify the House accordingly

Mr Teas On leave being granted introduced

No 4 C. F. A Bill to revive and Continue in force two certain acts herein named

Which was read a first time

Mr Christie On leave being granted presented the petition of Sundry Citizens of Scott County

relative to a certain Territorial Road
running from the town of Parkhurst in
said County to Iowa City
which petition

On Motion Of Mr Christie
was laid on the table subject
to the Order of the Council

On Motion Of Mr Teas
No 4 C.F. A Bill to revive and continue
in force two certain acts herein
named
was taken from the table
And read a Second time
A motion was then made by Mr Teas
to Suspend the thirteenth rule of the
Council
Which was lost

On Motion Of Mr Cox
The Council adjourned until
tomorrow morning 9 oClock

Council

Wednesday June 19th 1844

Mr Cox from the Committee on Territorial Affairs to whom was referred the abstract of the Census reported to the Council by the Secretary of the Territory

Reported that it is inexpedient to make any general apportionment of Representatives at present, in Consequence of the returns not all having been received at the office of the Secretary of the Territory

Mr Cook On leave being granted introduced
No 5 C.F. A Joint Resolution upon the subject of the adjournment of both Houses
which was adopted —

Mr Springer from the Committee on the Judiciary to whom was referred
No 1 C.F. A Bill to amend an act entitled an act to provide for the expression of the opinion of the people of the Territory of Iowa &c
reported the same back without amendments and recommend its passage

A Message from the House of Representatives by Mr Fales their Chief Clerk

Mr President

I am directed to inform the Council that the House of Representatives have passed

No 179 H R file A Bill to amend an act regulating marriages —
In which the concurrence of the Council is requested
And then he withdrew

No 1 C.F. A Bill to amend an act Entitled an act to provide for the expression of the Opinion Of the people of the Territory Of Iowa &c
was read a third time passed and title agreed to —

No 4 C.F. A Bill to revive and Continue in force two certain acts herein named
was read a third time, passed and title agreed to

On Motion Of Mr Christie
The petition Of Sundry Citizens of Scott County relative to a certain Territorial road
was taken from the table, and

On Motion Of Mr Christie.
said petition was refered to a select Committee of three members
Messrs Christie, Wallace, and Leffler were appointed said Committee

Mr Leffler On leave being granted introduced
No 6 C.F. A Bill supplementary to an act to provide for the Compensation of members and officers of both houses of the present session and for other purposes approved February 16th 1844

which was read a first and second time
On Motion Of Mr Leffler
The thirteenth rule of the Council was suspended the bill read a third time passed and title agreed to

Mr Springer On leave being granted introduced
No 7 C.F. A Bill to Amend An act to district the Territory into Electoral districts
which was read a first and second time
On Motion Of Mr Leffler
The thirteenth rule of the Council was suspended the bill read a third time passed and title agreed to

Mr Springer Moved a reconsideration of the vote taken upon the passage of
No 7 C.F. A Bill to Amend an act to district the Territory into Electoral districts
Which was had

Mr Elbert then moved to amend said bill by ~~adding~~ inserting as the third section the following That the County of Davis and the Country thereto attached shall be annexed to the County of Van Buren, and shall constitute a part of the second Electoral district, for the purpose of participating in the election of members of the Legislative Assembly and delegate to Congress
Which amendment was adopted
Said bill was then read a third time as amended passed and the title agreed to

No 179 H R file A Bill to Amend an Act regulating Marriages

was read a first and second time

On Motion Of Mr Elbert

The thirteenth rule of the Council was suspended the bill read a third time passed and title agreed to —

On Motion Of Mr Cox

Ordered that a committee of Enrossment & Enrollments be appointed

Messrs Springer and Elbert were appointed said Committees jointly

The President announced the following Communication from the Secretary of the Territory

Secretary Office Iowa City
June 19th 1844

Sir

Having received the Census returns of DuBuque County I have the honor to transmit the same as follows viz

Returns furnished yesterday	54,555
do DuBuque County	4.047
making in the aggregate	58.602

Very Respectfully
Your Obt. Servt
S. J. Burr

Hon Francis Gehon
President of the Council
Iowa City

On Motion Of Mr Elbert

Ordered that said Communication be refered to the Committee on Territorial Affairs —

A Message from the House of Representatives by Mr Fales their Chief Clerk

Mr President

I herewith present for your Signature

An Act to authorize the Collectors of taxes to make deeds in certain cases

An Act to legalize an act of the Board of County Commissioners of Des Moines County —

An Act to legalize the acts of Certain Officers therein named

A Joint Resolution allowing to the Counties of Davis, Wapello, Keokuk And Mahaska Copies of the revised statutes

All of which have been signed by the Speaker of the House of Representatives —

And then he withdrew —

On Motion Of Mr Springer

Resolved, that Anson Hart be appointed assistant Secretary of the Council for the present session

Which was adopted

Mr Hart then Came in and took the oath of office and entered upon the discharge of his duties

No 8 C F A Bill to relocate a part of a Territorial
Road from Parkhurst to Cedar County
was read a first and second time

On Motion Of Mr Christie
The thirteenth rule of the Council was
suspended the bill read a third time
passed and title agreed to

Mr Harris On leave being granted introduced
No 9 C F A Bill for an Act to prevent trespass
upon the lands belonging to the Territory
which was read a first and second time

On Motion Of Mr Harris
Said bill was refered to the
Committee On the Judiciary

Mr Elbert On leave being granted introduced
No 10 C F A Bill to revise certain acts respecting
the subjecting of real and personal
Estate to Execution
which was read a first and second time

On Motion Of Mr Cook
Said bill was refered to the Committee
On the Judiciary

A Message from the House of Rep
-resentatives by Mr Hales their Chief Clerk
Mr President
The House of Representatives have
passed

No 17 H R File An Act fixing the Compensation
of the Territorial Board
No 18 H R File An Act to establish certain Territori
-al Roads and for other purposes

And then he withdrew

No 178 H R file An Act fixing the Compensation of the Territorial Agent

was read a first and second time

On Motion Of Mr Teas

Said bill was referred to the Committee On the Judiciary

Mr Springer from the Committee on the Judiciary to whom was referred

No 9 C F. A Bill for an act to prevent trespass upon the lands belonging to the Territory

Reported the same back with one Amendment—

Which Amendment was concurred in

On Motion Of Mr Harris

The thirteenth rule of the Council was suspended the bill read a third time passed, and title agreed to —

No 180 H R file An act to establish certain Territorial roads and for other purposes

was read a first and second time

On Motion Of Mr Cook

The thirteenth rule of the Council was suspended the bill read a third time passed and title agreed to —

Mr Springer from the Committee on the Judiciary to whom was referred

No 10 C F A Bill to revise certain acts respecting the Inhibition of real and personal estate to ~~H~~ Executors

Reported the following as a substitute for said Bill

Sec 1 Be it enacted by the Council and House of Representatives of the Territory of Iowa That the acts respecting the ~~subject~~ing the subjecting of real and personal Estate to execution in force in this Territory prior to the 28th day of February 1843 be and the same are hereby revived so far as they relate to judgments heretofore or hereafter obtained on contracts made prior to that time

Sec 2 This act shall take effect from and after its passage

Which was read a first and second time

On Motion Of Mr Elbert

The thirteenth rule of the Council was suspended, the bill read a third time passed and title agreed to —

A Message from the House of Representatives by Mr Fales their Chief Clerk

Mr President

The House of Representatives have passed

No 171 H R file A Bill to postpone the next annual Election of members of the Legislature and to provide for the payment of Legislative debts —

No 172 H R file A Memorial to Congress for a Change of [illegible]

And then he withdrew —

No 171 H R file A Bill to postpone the next annual Election of Members of the Legislature and to provide for the payment of Legislative debts

was read a first and second time

Mr Harris Moved to amend said bill by striking out in the section the first Monday in May and inserting the first Monday in June

which was decided in the negative

Mr Teas Moved to Suspend the thirteenth rule of the Council

upon which the yeas and nays were demanded

And the Question being put it was decided in the Affirmative

Yeas — 8

Nays — 2

Those Gentlemen who voted in the affirmative were

Messrs Christie, Cook, Cox, Elliot, Leffler, Springer Teas and Wallace 8

Those gentlemen who voted in the negative were

Messrs [illegible] and Harris

The bill was then read a third time

Upon the final passage of the bill the yeas and nays were demanded

And the question being put

it was decided in the affirmative

Yeas — 8
Nays — 2

Those who voted in the affirmative were
Messrs Christie, Cook, Cox, Elbert, Soppler
Springer Lane and Wallace — 8

Those who voted in the negative were
Messrs Gehon and Harris —

The bill was passed and the title agreed to

No 172 H R file A Memorial to Congress for a
change of an appropriation
was read a first and second time

On Motion Of Mr Wallace
The thirteenth rule of the Council was
Suspended, the Memorial read a third time
And passed

Mr Elbert moved a call of the Council
which was had, and the absent mem
bers appearing

On Motion Of Mr Elbert
The further Call of the Council was
dispensed with —

Mr Springer from the Committee on the Judiciary to
whom was referred

No 170 H R file An Act fixing the Compensation
Of the Territorial Agent
Reported An amendment to first section
Of Said bill and recommend its passage

Mr Cox Offered the following as a Substitute
to said bill. Which was [illegible]

[illegible] Bill amen[illegible] [illegible]

ing the Office of Territorial [illegible] &c

1 Be it enacted that from and after the passage of the this act it shall be the duty of the Auditor of Public accounts, of this Territory to perform the duties of the Territorial agent & that all books papers notes accounts and every thing appertaining to said office shall be turned ~~to~~ over by said agent to the Auditor of Public accounts, who is hereby vested with all the power that the Territorial agent had under the act creating that office

2 Be it further enacted, that the next Legislature at its annual session shall make such compensation to the Auditor for the duties performed by him under this act as they may deem just & proper ~~to make~~

3 This act shall be in force from & after ~~its~~ its passage.

A Message from the House of Representatives by Mr Hales their Chief Clerk

5

Mr President

The House have passed with an amendment

No 1 C. F. A Bill to amend an act to provide for the expression of the opinion of the people of the Territory & also without amendment

No 2 C. F. A Bill to amend an act to perfect the collection of taxes in [illegible] &c

No 7 C. F. A Bill to amend an act to district the Territory ~~[illegible]~~ into electoral districts

No 8. C. A Bill to relocate a part of a territorial road from [illegible] to Cedar County

No 9. C. A Bill for an act to prevent trespass upon the lands belonging to the Territory

No 10 C. A Bill to revise certain acts respecting the subjecting of real and personal estate to execution

Mr Elbert Moved to strike out in the first section of No 178 H R file 300 and insert in lieu thereof the words such sum as the Legislature may allow

Which was Lost —

Mr Wallace Moved to suspend the thirteenth rule Of the Council

Mr Leffler then Moved to refer said bill to the Committee on the Judiciary with instructions to abolish the office of Territorial Agent

Which was Lost

The question then recurring upon the motion to suspend the thirteenth rule was decided in the affirmative

The Bill was then read a third time passed and title agreed to —

On Motion of Mr Elbert

The Council adjourned until 2 oclock this afternoon —

Two Oclock P.M.

The President announced a communication from the Secetary of the Territory As follows

Secty Office Iowa City
June 17 1844

Sir

In addition to the Census returns already furnished I have the honor to transmit the returns of the Counties of Wapello and Kishkakosh, this moment received at this Office —

Wapello	2814
Kishkakosh	386
	3200
Returns already furnished	58.602
Making in the aggregate	61.802

Very Respectfully
Your Obt Servt
S. J. Burr

Hon Francis Gehon
Prest Council

Mr Springer asked leave to introduce a bill which was not granted —

Mr Elbert moved that the Council do concur in the Amendment made by the House to No 1 C. F. An act to amend an act entitled an act to provide for the expression of the Opinion of the people of the Territory &

Mr Wallace moved to indefinitely postpone said bill which was lost —

The question then recurring upon the Motion made by Mr Elbert to Concur

Was decided in the affirmative

Yeas - 7

Nays - 5

Those who voted in the affirmative were Messrs Elbert Harris Leffer Wm Patterson R.M.G. Patterson Springer & Teas 7

Those who voted in the negative were Messrs Christie Cook Cox Wallace and Mr President 5

A Message from the House of Representatives by Mr Hale their Chief Clerk

Mr President

I herewith present for your signature

A Memorial to Congress for [illegible] of an appropriation

An act to postpone the next annual election of members of the [illegible] and to provide for the payment of [illegible] debt

[illegible] been signed

[illegible]

[illegible]

[illegible]

of Prince [illegible] County [illegible] Smiley

to record [illegible] the proceedings of said court [illegible] also

✓ No [illegible] A Bill supplementary to an act to [illegible] [illegible] [illegible] [illegible] and [illegible] [illegible] thereto [illegible]

✓ No 183 A Bill to authorize the [illegible] of [illegible] and [illegible] purposes

✓ No 184 Joint Resolution for the preservation of the census returns

✓ No 185 A Bill to amend an act entitled An act to incorporate the

✓ Board of Trustees of the Congregational [illegible] [illegible] [illegible] [illegible] for

Mr Springer asked leave to make a report
which was to introduce
No 12 C F A Bill to incorporate the Wapello
Manufacturing Company —
On Motion Of Mr Cook
Said bill was laid upon the table
No 182 H R file A Bill to authorize the Judge of
Probate of Lee County to make a record
of the proceedings of said Court
was read a first and second time
On Motion Of Mr Wm Patterson
The thirteenth rule of the Council
was suspended the bill read a third
time passed and title agreed to —
No 183 H R file A Bill to abolish the office of
Territorial Agent and for other purposes
was read a first and second time
On Motion Of Mr Cook
Said bill was referred to a select —
Committee of three
Messrs Cook Cox & Leffler were
appointed said Committee —
No 184 H R file Joint Resolution for the preser
-vation of the Census returns
was read a first and Second time
On Motion Of Mr Cox
The thirteenth rule of the Council was
suspended, the ~~[illegible]~~ Joint Resolution read a third time
and passed.

No 185 H R file An act to amend an act entitled an act to incorporate the Board of Trustees of the Congregational Church and Society of Burlington
was read a first and second time
On Motion of Mr Leffler
The thirteenth rule of the Council was suspended the bill read a third time passed and title agreed to
Mr Springer Moved to take from the table No 12 C. F. A Bill to incorporate the Wapello Manufacturing Company
Which was lost
The President announced ~~a~~ the following communication from the Secretary of the Territory

Secretary's Office Iowa City
June 19th 1844

Sir

In addition to the Census returns already furnished. I have the honor to report the returns from Lee County, the population of which (Except Marion Township from which there is no return) is 9.835
Previous returns — 61.802
Making in the aggregate 71.632

Very Respectfully
Your Obt Servt
S. J. Burr

Hon Francis Gehon
President of Council
Iowa City

A Message from the House of Representatives by Mr Fales their chief clerk

Mr President

The House have adopted the following Resolution

Resolved. (The Council Concurring herein) That the two Houses will adjourn sine die this day at 4 Oclock P.M

which Resolution was read a first and second time

Mr Cox Moved to amend said Joint Resolution by striking Out 4 and inserting 8

which amendment was adopted

On Motion Of Mr Cook

The thirteenth rule of the Council was Suspended and the Joint Resolution read a third time and passed

On Motion The Council adjourned until 7 Oclock this evening

Seven O'clock P. M.

A Message from the House of Representatives by Mr Hales their Chief Clerk

Mr President

The House have concurred in the amendments of the Council to

No 178 H.C. An act fixing the compensation of the [illegible] agent

The House have passed

No 188 H.B. An act defining the qualifications of Electors

I am directed to present for your signature

An act authorizing the Judge of Probate of [illegible] County to make a Record of said court

An act fixing the compensation of the [illegible] agent

An act to amend an act entitled An act to incorporate the board of Trustees of the Congregational Church and Society of [illegible]

A joint resolution for the purpose of ratifying the Census [illegible]

An act to [illegible] a road [illegible] Jack Moore [illegible] to [illegible] County

An act to amend an act to protect the collection of Taxes in Ionia County

An act to revive certain acts respecting the [illegible] of wills and [illegible] not [illegible] to executors.

No 188 H R file An act declaring the
qualifications of Electors
was read a first and second time

On Motion Of Mr Leffler
The thirteenth rule of the Council
was suspended the bill read a
third time passed and title —
agreed to —

A Message from the House of
Representatives by Mr Hales their Chief
Clerk —

Mr President
I herewith present for your
signature

No 188 H. R. File An act declaring the qualifications of Electors —
& then he withdrew

Mr Wallace on leave being granted introduced

No 13 C. F. Joint Resolution authorizing pay to
the Officers of the Council of present
Session

Mr Cox Moved to amend the same by ~~striking~~
making the pay to Secretary of the
Council four dollars per day instead
of three
which was adopted

Mr Springer On leave being granted
introduced the following resolution
Resolved That the thanks of the Council are hereby tendered to General Gehon, for the able impartial and highly satisfactory manner in which he has discharged the duties of President of the Council during the present Session —
which was adopted

On Motion of Mr Wallace
The thirteenth rule of the Council was suspended and
No 13 C. F. Joint Resolution authorizing pay to the officers of the Council of present Session
was read a third time and passed —

Mr Cook On leave being granted introduced ~~the following Joint Resolution~~
No 14 C. F. Joint Resolution upon the subject of printing the Laws of the present Session
Which was read a first and second time

On Motion of Mr Cook
The thirteenth rule of the Council was suspended and the Joint Resolution read a third time & passed

A Message from the House of Representatives by Mr Halls their Chief Clerk

Mr President

The House have passed

No 186 H R file An Act amendatory of An act for opening and regulating roads and Highways

No 186 H R file was then read a first and second time

On Motion Of Mr Christie

The thirteenth rule of the Council was suspended, the bill read a third time passed and title agreed to —

A Message from the House of Representatives by Mr Halls their Chief Clerk

Mr President

I herewith present for your signature

An act amendatory of an act entitled An act for opening and regulating roads and highways

And then he withdrew —

Mr Springer moved that a committee of two be appointed to notify the House that the Council is now ready to adjourn —

Messrs Springer & Cook were appointed said Committee —

On Motion Of Mr Wallace a committee of two were appointed to act in conjunction with a similar Committee to be appointed on the part of the House to notify his Excellency the Governor that the business of the Two Houses is now through and ask him if he has any further Communications to make

Messrs Wallace and Mr Patterson were appointed said Committee

A Message from the House of Representatives by Mr Fales their Chief Clerk

Mr President

The House have passed with amendments

No 14 C. F A Joint Resolution relative to the publication of the Laws

And then he withdrew

On Motion Of Mr Cox

Said resolution was laid upon the table

Mr Wallace from the Committee on the part of the Council to act in Conjunction with a similar Committee on the part of the House to wait upon His Excellency the Governor

Reported that they had perform-ed that duty and that the Governor had notified them that he had no further Communications to make

On Motion Of Mr Springer the Council adjourned Sine die

The President then arose and addressed the Council in a very Eloquent & feeling manner — after which he pronounced the Council adjourned Sine die —

Journal of
Council
June 1844

A bill to amend an act to perfect the collection of taxes in Louisa County

Section 1st Be it enacted by the Council and House of Representatives of the Territory of Iowa, That the proviso in the sixth section of the act to perfect the collection of taxes in Louisa County, approved 14th February, 1844, be and the same is hereby repealed. and the ~~County~~ Board of Commissioners of said County are hereby empowered to give the collector of taxes in said County such further time to complete the collection of taxes therein as they may deem necessary.

Sec 2. This act to take effect from and after its passage.

No 2. C. F.

A bill to amend an act to perfect the collection of taxes in Louisa County.

Passed the Council
June 18th 1844
Chas. Madera
Secty

Passed the H. R.
June 18. 1844
[illegible]
Clerk

No 1 C. F.

A Bill to amend an act entitled an act to provide for the expression of the opinion of the people of the Territory

Passed the Council
June 16th - 1844
Chas Madeira
Secty

Passed the [illegible] R.
[illegible]ne 17. 18[illegible]
[illegible]

Refd to Com on Judiciary

Strike out all after the enacting clause and insert the following

That the fifth section of the act to which ~~this~~ is amendatory be so amended ~~that~~ so as to read that said Convention shall consist of twenty three members and ~~that~~ the counties of Davis, Wappello and Mahaska shall each be entitled to two members of said Convention.

Sect 2 that so much of said act as conflicts with the provisions of this act be and the same is hereby repealed

A Bill

To Amend an act entitled an act to provide for the expression of the Opinion of the people of the Territory of Iowa upon the subject of the formation of a State Constitution for the State of Iowa

Sec 1 Be it enacted by the Council and House of representatives of the Territory of Iowa that the 5th section of [illegible] the aforesaid act be so amended as to give Van Buren County seven [illegible] and Davis and Appanoose Counties two delegates in [illegible] the ~~said~~ Convention for the formation of a State Constitution for the State of Iowa

A Bill Supplementary to a "act to provide for the compensation of Members and officers of ~~both~~ houses of the present session and for other purposes - approved June 16th 1844 -

Sec 1

Be it enacted by the Council and house of Representatives of the Territory of Iowa that the tenth section of the act aforesaid be and the same is hereby so altered and amended as to allow to Hughes and Williams for printing as per bill rendered for the council the sum of two hundred and fifteen dollars to be paid by the secretary of the Territory out of any funds now on hand -

No 6 C. F.

[1]

Passed the Council
June 19th 1844
Chas. Madison
Secty

Passed the H. R.
June 18 1844
[illegible]
Clerk

Section 1. Be it enacted by the Council and House of Representatives of the Territory of Iowa that the counties of Keokuk, Mahaska, and the country thereto attached ~~be and the same are hereby~~ shall be annexed to the county of Washington, and constitute a part of the sixth electoral district for the purpose of participating with Washington in the election of a member of the House of Representatives and with Washington and Louisa in the election of a member of the Council, and delegate to Congress -

Sec 2. That the county of Wapello and the country thereto attached shall be annexed to the county of Jefferson - shall constitute a part of the fifth electoral district for the purpose of participating in the election of a member of the House of Representatives, a member of the Council, and delegate to Cong.

Sec 3. That the county of Davis and the country thereto attached shall be annexed to the county of Van Buren, shall constitute a part of the second Electoral District, for the purpose of participating in the election of members of the Legislative Assembly and delegate to Congress

No 7 C.F.
A bill to amend
"an act to district the
territory of Iowa into
electoral districts &
apportion the
representatives of sd"
approved July 30. 1840

Passed the Council
June 19th 1844
Chas [illegible]
Secy

Passed the H. of R.
June 19 1844
[illegible]
Clerk

A Bill to relocate a part of the Territorial Road from [illegible] Parkhurst in Scott county to Tipton in Cedar County

Sec 1. Be it enacted by the Council & House of Representatives of the Territory of Iowa That Jas McCosh Saml Hedges & J A Birchard Jr of the County of Scott be & they are hereby appointed commissioners to relocate ~~that~~ part of a Territorial Road from Parkhurst ~~in~~ to Cedar County that lies East of the House of Dennis Burns in Scott County

Sec 2 That said Commissioners shall on the first monday in august ~~or~~ next or on any other day within one week thereafter take to their assistance a surveyor & such other ~~persons~~ hands as they may think proper & proceed to discharge the duties of their office as provided in this act

Sec 3 That said Commissioners Surveyor & other hands necessarily employed shall receive such compensation as is usually allowed to ~~such~~ like services

No 86 A.

A Bill to relocate
a part of a Territo-
rial Road from
Parkhurst to
Cedar County

Passed the Council
Jan 19th 1844
Chas [illegible]
Secty

Passed the H. of R.
Jan 19. 1844
Jos. T. Fales
Clerk

Amendment to 1st section to come in after the word lands in the 10th line —

or shall remove therefrom any timber, stone, stone coal, minerals or in any manner injure the value of said lands, shall upon conviction thereof before any Court of competent jurisdiction be fined in ~~the sum of ten dollars for each~~ any sum not exceeding fifty dollars and not less than ten dollars for each offence; and the judgment of the Court shall be that the defendant stand committed until the fine and costs be paid.

An Act to [illegible] [illegible] the [illegible] belonging to the [illegible] of [illegible]

Sec. 1 Be it enacted by the Council and House of Repre[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] or future state [illegible] [illegible] shall be [illegible] [illegible] [illegible] [illegible] [illegible] against them, and [illegible] shall [illegible] [illegible] debt [illegible] and [illegible] [illegible] ~~[illegible] these [illegible] [illegible] [illegible] days for [illegible] [illegible] destroyed [illegible] [illegible] shall [illegible] [illegible] [illegible] People [illegible] [illegible] shall [illegible]~~

Sec. 2 [illegible] [illegible] entitled [illegible] [illegible] whose duty [illegible] to protect [illegible] from injury [illegible]

unlike

Sec. 3 [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Sec. 4 [illegible] [illegible] [illegible] [illegible] [illegible]

No 6 F.

A Bill for an Act
to [illegible]
[illegible] of the [illegible]
[illegible]
of Io[illegible]

Passed the Council
June 19th 1844
Chas [illegible]
Secty

Passed the House
June 19th 1844
J. T. Fales
Clerk

Refd to Com on Judiciary

[illegible] rules and [illegible] of this act
Sec 3rd This Act to take effect and be in force from and after its passage

Elliott

A Bill

Subjecting real estate to Execution

Sec 1 Be it enacted by the Council and House of Representatives of the Territory of Iowa That whenever any Real estate, shall be levied upon by virtue of an execution issued upon any Judgment, order or decree obtained in any Court of record either at law or equity, (the cause of action, of which, having originated ~~[illegible]~~ upon the 20th day of Febr 1843) the same shall be sold for the best price the same will bring at public auction, and the Sheriff shall give to the purchaser thereof, or to the plaintiff in execution if the same was bid off by him; a certificate stating the price for which ~~since~~ the same was sold ~~for~~, the day of the said sale and that in fifteen Calendar Months from that date, the purchaser or plaintiff in execution, will be entitled to a deed to said land, unless the same shall be redeemed as hereinafter provided.

Sec 2 That the defendant in execution, shall remain in possession of said land so sold during the said fifteen Months; that said defendant, his heirs executors or administrators, shall have the right to redeem said land at any time before the expiration of twelve Calendar Months from the said day of sale; and any person who may be a judgment creditor of said defendant at the expiration of said twelve Months, may within three Calendar Months thereafter, redeem said real estate by paying to the plaintiff in execution or the Sheriff for his use, the amount for which the said land sold, with ten per cent added thereto and if said land shall not be redeemed as aforesaid, it shall be the duty of the Sheriff to make to the purchaser or plaintiff in execution, a deed which shall operate as a conveyance of all the right, title and interest of said defendant in execution to said real estate, and shall be prima facia evidence of the regularity of the Sheriffs proceedings.

Sec 3. This act to take effect and be in force from and after its passage

No 10 C. H.

[6th Extra Session 1844]
2131.

Ref^{d} to Com on Judiciary

A bill to incorporate the Wapello Manufacturing Company –

Section 1st. Be it enacted by the Council and House of Representatives of the Territory of Iowa that Merit Jamison, William Milligan, James C. Isett, Samuel Townsend, and — Hull, and their associates and successors be and they are hereby incorporated, and made, a body politic and corporate, and shall be and remain a corporation forever under the name of The Wapello Manufacturing Company: and by that name may sue and prosecute, and be sued and prosecuted to final judgement and execution, in all Courts having competent jurisdiction. May purchase hold and convey real personal or mixed estates so far as may be necessary for carrying into effect the legitimate objects for which said company is incorporated or securing the payment of debts which may be due to or from said company, provided however that said company shall not be permitted to purchase and hold real estate for the sole object of speculation. and may have a common seal. and the same alter and renew at pleasure, and shall be, and hereby are vested with all the powers and privileges which are by law incident to corporations of a similar nature. and which may be necessary to carry into effect the objects of this corporation.

Section 2d. That the said corporation be and they are hereby authorized to convey the water of the Iowa river over or through any suitable ground by means of a race canal or water way of such capacity as shall be deemed sufficient from any place at the mouth of Long creek or below as may best suit for the convenience and utility of said work to the most convenient point at or near Wapello for manufacturing purposes.

Section 3d. That the said corporation be and is hereby authorized to raise sufficient funds for the accomplishment of the objects and purposes and for that purpose the persons named in the first section of this act or a majority of them shall be commissioners, whose duty it shall be to [illegible] [illegible] [illegible] Commissioners to open books at such times and places as they shall think fit, under the management of such persons as they shall appoint for receiving subscriptions to the capital stock of said company each share to be of the amount of twenty five dollars, and each subscriber to be a member of said corporation from [illegible] said commissioners or a majority of them may prescribe the terms of [illegible] and whenever the sum of three thousand dollars shall have been subscribed, it shall be the duty of said commissioners or a majority of them to call a meeting of the stockholders by causing notice to be published in some paper in general circulation in Said County or by Hand bills put up at least in five Conspicuous places in said County at least ten days previous thereto of the time and place of Said meeting, which shall be in the town of Wapello, at which meeting the stockholders who shall attend for that purpose, either in person or by lawful proxy, shall elect by ballot five directors who shall hold their office until the expiration of one year, and until others shall be chosen in their places, and the said commissioners shall be inspectors of the first election of ~~said~~ directors of said corporation, and shall certify under their hands the names of those duly elected, and shall deliver over to them the said certificate and subscription books; and at said election [illegible] and at all other elections [illegible] description each member [illegible] to vote by himself or by proxy [illegible] in writing, and each share upon which there shall be no arrearages of payment shall entitle the holder to one vote; and that the management of the concerns of said corporation shall be entrusted to five directors to be chosen annually by the stockholders by ballot, and [illegible] votes [illegible]

Shall there be [illegible] chosen, [illegible] shall each before entering upon the duties of their office take and subscribe an oath well and faithfully to discharge and execute all the duties incumbent upon them as directors of said corporation without partiality, favour or affection, and shall [illegible]

thereafter meet and elect one of their number
who shall be president thereof until another
election and also to elect a treasurer and secretary
who may be removed at the pleasure of said
President and Directors, and others [illegible] in
their places and that a majority of said Directors
shall constitute a board for [illegible] purposes
within the provisions of this Act.
It shall be the duty of said Secretary carefully
to preserve all books and papers of every
kind and description appertaining to the
business of said company and also to keep
a faithful record of all the proceedings of the
said board of Directors, together with all the
books of accounts [illegible] kept in the
transaction of the business [illegible]
and it shall be the duty of [illegible]
[illegible]
hands of said company [illegible]
that the Treasurer shall not in any case pay
out any money or funds of the said company
until the same shall have been specifically
appropriated by the board of directors, and
no money or other funds shall be paid
out otherwise than upon certificates signed
by the president and [illegible]
The secretary shall [illegible]
indebtedness incurred, what for, and the
amount due and payable thereon, and all
such certificates when duly paid by the
Treasurer, shall be by him cancelled and
[illegible]
[illegible] in accordance [illegible]
The said Secretary shall also have power to order

The office of Treasurer is to be appointed by the board of Directors, and shall be sworn well and truly to discharge his duties (so far as in his power [illegible]

Section 4th The said Directors shall [illegible] to employ all [illegible] the business of said company [illegible] with the same [illegible] be required to enter into bond with such security and in such penalty as the board of directors may require [illegible] The compensation of the said [illegible] other agents [illegible] of said company shall be fixed by the board of Directors, and at such [illegible] company [illegible] the board of directors [illegible] [illegible] [illegible] [illegible] six months the condition and situation of the financial affairs of said company [illegible] or by hand bills put up in at least [illegible] conspicuous places in [illegible]

Section 5th [illegible] [illegible] ~~[illegible]~~ [illegible] [illegible] [illegible] sufficient

Section 6th And be it [illegible] the Stock of said Company shall be considered as [illegible] real estate, [illegible]

[illegible]

17 ( )

to the corporation [illegible] in other [illegible] exchanges that shall be [illegible] the [illegible] upon [illegible] the [illegible]

[illegible]

[illegible]

[illegible]

Section 17. The capital stock of this company shall not exceed twenty thousand dollars. —

Sec 18. The charter hereby granted ~~shall continue for twenty years~~ may be altered or amended or repealed by any future Legislature —

No 12 G.A.

Bills and Miscel-
laneous papers of
Extra Session June
1844

[G.A. Extra Sess. June 1844]
HH.

Laid upon the table